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			09/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/826,429

Applicant(s)

NILES ET AL.

Examiner

OMAR ABDUL-ALI

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-42, 44-77, 79-104, 112 and 120 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-42, 44-77, 79-104, 112, and 120 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The following action is in response to the response filed June 4, 2008. Amended Claims 1-9, 11-42, 44-77, 79-104, 112, and 120 are pending and have been considered below.

A. The prior art rejections of Claims 1-9, 11-29, 34-42, 44-64, and 69-99 have been withdrawn as necessitated by applicant's amendments.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9, 11-16, 25, 34-42, 44-50, 60, 69-77, 79-85, and 95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Weaver et al. (US 2001/0036356).

Claims 1, 34, and 69: Zhao discloses a user interface, method, and computer program product for editing within a single timeline, comprising:

a. an overview layer comprising first representations of at least a subset of the plurality of media clips that comprise the project, wherein the overview layer is oriented along an axis representing time, and wherein each first editable representation has a

dimension along the first axis representing the temporal length of the media clip (column 3, lines 27-61). Specifically, Zhao discloses a timeline pane which displays all of the tracks of a video story in the time sequence which they appear to construct the overall layout of the video story. However Zhao does not explicitly disclose the first representations are editable wherein editing a representation of a media clip manipulates the media clip. Weaver discloses a similar system for editing within a single timeline that further discloses editing representations of clips in an overview layer (Figure 5B 'V2') wherein editing the clip includes editing, compositing, and adding effects. A variety of effects can be applied to the containers, such as event based digital video editing effects. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide editable first representations in Zhao. One would have been motivated to provide editable first representations in Zhao in order to give the operator the ability to edit the properties of media.

Zhao modified by Weaver discloses for each media clip, a track comprising a second editable representation of the media clip, wherein the track is oriented along the axis representing time, and wherein the second editable representation has a dimension along the first axis representing the temporal length of the media clip and wherein the track and the overview layer are concurrently displayed. Zhao discloses a layer pane which includes all the layers of a selected video clip (Column 4, lines 31-60). The layer clips may be edited by trimming the clip or adjusting the volume or playback screen. Weaver discloses second editable representations of clips (events) which can be edited

and composited as desired (page 4, paragraph 64). The representations of events and sub-timelines are displayed concurrently in the timeline window in Weaver. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to concurrently display a track and overview layer in Zhao. One would have been motivated to concurrently display the track and overview layers in Zhao in order to manage complex projects and timeline renders.

Claims 2, 35, and 70: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses the first editable representation is updated responsive to edits made to the second representation (column 4, lines 45-67). Weaver further discloses the second editable representation is updated responsive to edits made to the first representation (page 4, paragraph 66). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to update the second editable representation responsive to edits to the first representation in Zhao. One would have been motivated to update the second representation in response to edits to the first representation to maintain consistency.

Claims 3, 36, and 71: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the overview layer comprises first editable representations of all media clips in the plurality of media clips(column 3, lines 27-42).

Claims 4, 37, and 72: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. at least one media clip overlaps another media clip, and wherein the overview layer comprises first editable representations of all media clips that do not overlap media clips (Column 3, lines 27-42/Figure 3).

Claims 5, 38, and 73: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. at least one media clip overlaps another media clip, and wherein the overview layer comprises an overlap region indicating the extent of the overlap (column 3, lines 27-42).

Claims 6, 39, and 74: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 5, 38, and 73 above, and Zhao further discloses:

a. the tracks for the overlapping media clips comprise editable representations of the overlapping media clips (column 4, lines 46-67).

Claims 7, 40, and 75: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the overview layer and each track are oriented along a first axis representing time, and wherein each first editable representation of a media clip is aligned along a second axis with a corresponding second editable representation of the same media clip (column 3, 27-42/Figure 5).

Claims 8, 41, and 76: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 7, 40, and 75 above, and Zhao further discloses:

a. the first axis is horizontal and the second axis is vertical (Figure 5).

Claims 9, 42, and 77: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 7, 40, and 75 above, but does not explicitly disclose the first axis is vertical and the second axis is horizontal. However, no patentable weight is given to the orientation of the axis and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the axis could be oriented in either fashion. One would have been motivated to orient the first axis vertically and the second axis horizontally strictly for design choice.

Claims 10, 43, and 78: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 7, 40, and 75 above, and Zhao further discloses:

a. each editable representation of a media clip has a dimension along the first axis representing the temporal length of the clip (Figure 4).

Claims 11, 44, and 79: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 10, 43, and 78 above, and Zhao further discloses:

a. the start and end locations of each editable representation represent the start and end time of the media clip media segments (Figure 4).

Claims 12, 45, 46, 80, and 81: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the timeline display is selectively collapsible to hide the tracks and selectively expandable to show the tracks (column 4, lines 9-30).

Claims 13, 47, and 82: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the timeline display comprises a plurality of overview layers, each overview layer being associated with at least one track (column 3, lines 27-60).

Claims 14, 48, and 83: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the media clips comprise video clips (column 4, lines 31-36).

Claims 15, 49, and 84: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the media clips comprise audio clips (column 4, lines 31-36).

Claims 16, 50, and 85: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. each media clip can be shortened, lengthened, moved, or deleted responsive to user actions with respect to either of the representations of the media clip (column 4, lines 60-66).

Claims 25, 60, and 95: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. a canvas comprising spatially movable representations of at least a subset of the media clips (column 3, lines 11-18).

5. Claims 17-24, 51-59, and 86-94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Weaver et al. (US 2001/0036356) and further in view of Fasciano et al. (US 5,467,288).

Claims 17, 51, and 86: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses dragging and dropping media clips to destinations (column 3, lines 43-60), but neither reference explicitly disclose a drop down menu is displayed in response to the user dragging a media clip to the destination location within the timeline display, the drop menu comprising a plurality of commands. Fasciano discloses a similar method for editing within a single timeline further comprising a menu permitting the selection of multiple commands when a region is selected in the timeline (column 6, lines 39-49). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made that a drop down menu could be displayed in response to dragging an object to the destination location within the timeline display in Zhao. One would have been motivated to display a drop down menu

in response to the user dragging a media clip to a destination location within the timeline in order to give the user the option to perform different commands on the region.

Claims 18, 52, and 87: Zhao, Weaver, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an insert command that causes the dragged media clip to be composited with an existing media clip at the destination location (column 11, lines 14-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to composite dragged media clips at the destination location in Zhao. One would have been motivated to include a composite command in the drop menu to allow the user to access more customization options.

Claims 19, 53, and 88: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano discloses the drop menu comprises an insert command that causes the dragged media clip to be inserted at the destination location, and that causes an existing media clip at the destination location to be moved to make room for the dragged media clip (column 11, lines 14-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to move existing media clips when a dragged media clip is placed at the destination

location in Zhao. One would have been motivated to include an insert command in the drop menu to allow the user to access more customization options.

Claims 20, 54, 55, 89, and 90: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 53, and 88 above, and Fasciano further discloses the drop menu comprises an insert command that causes the dragged media clip to be inserted at the destination location, and that causes an existing media clip at the destination location to be split to make room for the dragged media clip (column 11, lines 14-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to split existing media clips when a dragged media clip is placed at the destination location in Zhao. One would have been motivated to include an insert command in the drop menu to allow the user to access more customization options.

Claims 21, 56, and 91: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an overwrite command that causes the dragged media clip to replace an existing media clip at the destination location (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an overwrite command in the drop down menu when a media clip is dragged to

a destination location in Zhao. One would have been motivated to include an overwrite command in the drop menu to allow the user to access more customization options.

Claims 22, 57, and 92: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an overwrite command that causes the dragged media clip to replace a portion of an existing media clip at the destination location, the portion having a length equal to the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an overwrite command that causes the dragged media clip to replace a portion of an existing media clip at the destination location, the portion having a length equal to the length of the dragged media clip in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an overwrite command in the drop menu to allow the user to access more customization options.

Claims 23, 58, and 93: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an exchange command responsive to the dragged media clip having a length equaling the length of an existing media clip at the destination location, causes the dragged media

clip to replace the existing media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an exchange command responsive to the dragged media clip having a length exceeding the length of an existing media clip at the destination location, causes the dragged media clip to be replaced by a portion of the dragged media clip having a length equal to the length of the existing media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an exchange command responsive to the dragged media clip having a length that is less than the length of an existing media clip at the destination location, causes the dragged media clip to replace

a portion of the existing media clip, the portion having a length equal to the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Claims 24, 59, and 94: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, but neither reference explicitly discloses the drop menu is context sensitive based on the destination location. However, Fasciano does disclose that the drop menu is enabled when a region is selected in the timeline (column 6, lines 39-49), and it would have been obvious to one having ordinary skill in the art at the time the invention was made that this menu could be regarded as context-sensitive when an item is dragged to a destination location in Zhao. One would have motivated to include a context sensitive menu in order to enable a more efficient design environment.

6. Claims 104, 112, and 120 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Fasciano et al. (US 5,467,288) and further in view of Reder et al. (US 6,727,919).

Claims 104, 112, and 120: Zhao discloses a user interface, method, and computer program product for editing within a single timeline further comprising receiving a user command to drag the media clip to the destination location (column 3, lines 11-18), but does not explicitly disclose in displaying in response to receiving the user command, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location. Reder discloses a similar method for editing within a single timeline, that further discloses a pop-up menu appears in response to a drag and drop operation. Fasciano discloses a similar method for editing within a single timeline further comprising a menu permitting the selection of multiple commands when a region is selected in the timeline (column 6, lines 39-49). Fasciano also discloses depending on the placement mode selected, an overwrite placement (composite command) operation is enabled or a replace command (exchange command). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made that a drop down menu could be displayed in response to dragging an object to the destination location within the timeline display in Zhao. One would have been motivated to display a drop down menu in response to the user dragging a media clip to a destination location within the timeline in order to give the user the option to perform different commands on the region.

Fasciano further discloses the exchange command replaces the entire second media clip having a length equal to the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop

down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Fasciano further discloses the exchange command replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Fasciano further discloses the exchange command replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

7. Claims 105, 113, and 121 rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Fasciano et al. (US 5,467,288) further in view of Reder et al. (US 6,727,919) and further in view of Foreman et al. (US 7,124,366).

Claims 105, 113, and 121: Zhao, Fasciano, and Reder disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 104, 112, and 120 above, but neither reference explicitly discloses the drop menu comprises a composite command that causes the dragged media clip to be composited with an existing media clip at the destination location. Foreman discloses a similar computer program product for editing within a single timeline that further discloses dragging and dropping clips before and after existing clips (column 13, lines 27-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to composite dragged media clips at the destination location in Zhao. One would have been motivated to include a composite command in the drop menu to allow the user to access more customization options.

8. Claims 26-29, 61-64, and 96-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Weaver et al. (US 2001/0036356) and further in view of Foreman et al. (US 2001/0040592).

Claims 26, 61, and 96: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and

95 above, but neither reference explicitly discloses the spatially moveable representations are updated responsive to edits made to the corresponding first or second editable representations in the timeline display. Foreman discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the spatially moveable representations are updated responsive to edits made to the corresponding first or second editable representations in the timeline display in Zhao. One would have been motivated to update the spatially moveable representations in order to keep track of the changes made in the project.

Claims 27, 62, and 97: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and 95 above, but neither reference explicitly discloses the first and second editable representations in the timeline display are updated responsive to edits made to the corresponding spatially moveable representations. Foreman discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made that the first and second editable representations in the timeline display are updated responsive to edits made to the corresponding spatially movable representations in Zhao. One would have been motivated to update the first and second editable representations in order to keep track of the changes made in the project.

Claims 28, 63, and 98: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and 95 above, but neither reference explicitly discloses the first and second editable representations in the timeline display are selected responsive user selection of the corresponding spatially moveable representations. Foreman discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the first and second editable representations in the timeline display are selected responsive to selecting the corresponding spatially movable representations in Zhao. One would have been motivated to select the first and second editable representations responsive to selecting the corresponding spatially moveable representations in order to keep track of the changes made in the project.

Claims 29, 64, and 99: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and 95 above, but neither reference explicitly discloses the spatially moveable representations are selected responsive to user selection of the corresponding first or second editable representations in the timeline display. Foreman discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the spatially moveable representations are selected responsive to user selection of the corresponding first or second editable representations in the timeline display in Zhao. One would have been motivated to select the spatially movable representations in response to selecting the corresponding first or second editable representations in order to keep track of the changes made in the project.

9. Claims 30-33, 65-68, and 100-103 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Greenfield et al. (US 6,544,294) in view of Foreman et al. (US 2001/0040592).

Claims 30, 65, and 100: Greenfield discloses a method for editing within a single timeline further comprising:

a. a canvas, comprising a representation of the project, wherein the representation of the project comprises a plurality of selectable and spatially moveable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project (Figure 1). Specifically, Greenfield discloses a canvas view in which the media clips are displayed and have the ability to be moved within the acts of a play. By moving a media clip representation from one act to another, the media clip would be displayed in the second act instead of the previous act.

Greenfield discloses a timeline display representing a duration of the project (Fig 1./ '111') comprising a timeline representation of media clips but does not explicitly disclose the a timeline display for each currently selected media clip in the canvas. Foreman discloses a similar computer program product for editing within a single timeline that further discloses a viewer window that has an associated timeline allowing a user to preview imported clips (page 6, paragraph 56/page 7, paragraph 67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a timeline display for each currently selected representation of a media clip in Greenfield. One would have been motivated to include a timeline display for each selected representation of a media clip in order to obtain an indication of the temporal characteristics of a media clip.

Greenfield also does not explicitly disclose the timeline display is activated in response to at least one spatially moveable representation being selected, and wherein the timeline display is deactivated in response to no spatially moveable representation

being selected. However, Foreman discloses the media clips are previewed responsive to a user selecting a video clip from the library (page 6, paragraph 56/page 7, paragraph 67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the timeline display is activated in response to selecting a media clip, and deactivated in response to no media clip being selected. One would have been motivated to activate and deactivate the timeline in response the selection or de-selection of media clips in order to enable the user to access the timeline only when necessary.

Claims 31, 66, and 101: Greenfield and Foreman disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 30, 65, and 100 above, and Greenfield further discloses:

- a. each timeline representation of a media clip is editable (column 6, lines 30-45).

Claims 32, 67, and 102: Greenfield and Foreman disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 30, 65, and 100 above, and Foreman further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraph 47). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the spatially movable representations are updated responsive to edits made to the corresponding timeline representations in Greenfield. One would have been

motivated to update the spatially moveable representations in order to keep track of the changes made in the project.

Claims 33, 68, and 103: Greenfield and Foreman disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 30, 65, and 100 above, and Foreman further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraph 47). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the timeline representations are updated responsive to edits made to the corresponding spatially movable representations in Greenfield. One would have been motivated to update the timeline representations in order to keep track of the changes made in the project.

Response to Arguments

10. Applicant's arguments filed 6/04/2008 have been fully considered but they are not persuasive.

Claims 30, 65, and 100: Applicant argues, "Neither Greenfield nor Foreman discloses, teaches, or suggests the claimed element **"a canvas, comprising a representation of the project, wherein the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of**

media clips that comprise the project, and wherein a location of a spatially movable representation represents *where* the media clip is displayed within the project " (original emphasis added). It is respectfully submitted that Greenfield discloses the limitation as claimed above. Greenfield discloses a canvas view in which the media clips are displayed and have the ability to be moved within the acts of a play. By moving a media clip representation from one act to another, the media clip would be displayed in a different position on the project interface.

Claims 104, 112, and 120: Applicant argues, "Zhao, Fasciano, and Reder do not disclose, teach, or suggest the claimed element "displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command". Applicant further states, "Reder does not disclose, teach, or suggest media clips, let alone commands for integrating a media clip". In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The Reder reference is relied upon to teach the use of a drop menu in response to a drag and drop operation in a user interface, a common feature in the computer arts. Fasciano teaches a menu that includes a "place/replace" mode setting

menu that includes different commands corresponding to editing media clips. It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Reder's teaching of a drop down menu which is displayed in response to a drag and drop operation with the commands provided by Fasciano, in Zhao. Applicant argues, "overwrite placement, track insert placement, and clip insert placement correspond to neither a composite command nor an exchange command, however the Examiner respectfully disagrees. The overwrite command disclosed by Fasciano is a composite command, because the track that is dropped on the existing track overwrites the current material (Figure 10A). Fasciano further provides an insert placement command which moves down the material that was originally present. The overwrite command composites the clip distinguished by stripes with the clip distinguished by dots in Figure 10A. The replace command disclosed by Fasciano teaches the exchange command of Claims 104, 112, and 120. The combination of the references teach a drop menu including integration commands, which are displayed in response to no time period being selected and a drag and drop command. The replace command in Fasciano is relied upon to teach the functionality of the exchange command of these claims.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OMAR ABDUL-ALI whose telephone number is (571)270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA
9/15/2008

/Stephen S. Hong/
Supervisory Patent Examiner, Art
Unit 2178